

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO
VIOLATION OF SUPERVISION PROCEEDINGS
MINUTE SHEET

CR No.	05-379-MV	USA vs.	Atkins		
Date:	January 21, 2020	Name of Deft:	Colby Atkins		
Before the Honorable		Martha Vázquez			
Time In/Out:	9:40 a.m. / 10:35 a.m.	Total Time in Court (for JS10):	55 minutes		
Clerk:	Linda Romero	Court Reporter:	Carmela McAlister		
AUSA:	Peter Eicker	Defendant's Counsel:	Joe M. Romero, Jr.		
VSR in:	Santa Fe, NM	Interpreter:			
Probation Officer:	Wade Miller	Sworn?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
<input type="checkbox"/>	Defendant Sworn				
<input type="checkbox"/>	Defendant questioned re: physical/mental condition and whether under influence of alcohol, drugs, or any medication				
<input type="checkbox"/>	Court finds Defendant competent to proceed				
<input type="checkbox"/>	Court advises Defendant of his/her rights				
<input type="checkbox"/>	Court advises / confirms Defendant is aware of charges and possible penalty				
<input checked="" type="checkbox"/>	Defendant ADMITS violation(s): Standard – Defendant failed to notify his probation officer ten days before any change in residence, or 72 hours after.				
<input checked="" type="checkbox"/>	Defendant DENIES AND IS FOUND GUILTY BY PREPONDERANCE OF EVIDENCE of violation(s): Mandatory – The defendant must not unlawfully possess a controlled substance (oxycodone). Mandatory – The defendant must not unlawfully possess a controlled substance (methamphetamine). Mandatory – The defendant must not commit another federal, state or local crime.				
<input type="checkbox"/>	Violation report waived				
<input checked="" type="checkbox"/>	Proceed to sentencing				
<input checked="" type="checkbox"/>	Supervision - REINSTATED				
SENTENCE IMPOSED		Imprisonment (BOP): 4 months			
Supervised Release:	26 months	Probation:			500-Hour Drug Program
SPECIAL CONDITIONS OF SUPERVISION					
<input checked="" type="checkbox"/>	Inpatient and Outpatient substance abuse treatment programs (waive confidentiality)	<input checked="" type="checkbox"/>	Mental health treatment program (waive confidentiality)		
<input checked="" type="checkbox"/>	Substance abuse testing	<input checked="" type="checkbox"/>	Search of person, property		
<input checked="" type="checkbox"/>	No alcohol	<input checked="" type="checkbox"/>	No psychoactive substances		
<input checked="" type="checkbox"/>	No drug paraphernalia	<input checked="" type="checkbox"/>	No new lines of credit		
<input checked="" type="checkbox"/>	Credit check every 30 days	<input checked="" type="checkbox"/>	Provide requested financial information		
<input checked="" type="checkbox"/>	Establish a savings	<input checked="" type="checkbox"/>	Residential reentry center for up to 6 months		
<input checked="" type="checkbox"/>	OTHER: Inpatient treatment program immediately upon release from custody. Pay restitution balance.				
<input checked="" type="checkbox"/>	Advised of Right to Appeal		Waived Appeal Rights per Plea Agreement		
<input checked="" type="checkbox"/>	Held in Custody		Voluntary Surrender		

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	Recommended place(s) of incarceration:	, IF ELIGIBLE.
OTHER COMMENTS	Court addresses defendant. Defendant admits first violation, denies the mandatory condition violations. Government calls Officer William Bolich, Pueblo of Sandia Police Department, direct examination by Mr. Eicker. Government Exhibits 1 to 8, admitted without objection. Court questions witness. Defense counsel addresses Court. Defendant addresses Court. Court addresses defendant. Probation Officer Wade Miller addresses defendant and Court. Court finds defendant guilty by preponderance of evidence. Court imposes sentence.	